

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(1) ROBERT JONES, William Walker, DEMETRIUS BAILEY,
 (Name of Plaintiff) (Inmate Number) :
RICHARD DENNIS, JAMES JONES,
 (Address) :

(2) DARRYL GARDNER, DWYANE GARDNER
 (Name of Plaintiff) (Inmate Number) :
CAMERON LOVETT
 (Address) :

(Case Number)

(Each named party must be numbered,
and all names must be printed or typed)

vs.

CIVIL COMPLAINT

(1) JEN DIGBY, LOUREL HUBB, KEITH CORBERRY,
 (2) JODY FOGNANI, TABB BICKELL, TONY HEIST,
 (3) J. ST. PIERRE, HOWDY SHELL
 (Names of Defendants) :

(Each named party must be numbered,
and all names must be printed or typed)

FILED
HARRISBURG, PA

MAY 09 2020

PER MW
DEPUTY CLERK

TO BE FILED UNDER: ☒ 42 U.S.C. § 1983 - STATE OFFICIALS☐ 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. PREVIOUS LAWSUITS

- A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

N/A

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ☐ No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☒ Yes ☐ No
- C. If your answer to "B" is Yes:
- What steps did you take? File Appeals
 - What was the result? Denied
- D. If your answer to "B" is No, explain why not: _____

III. DEFENDANTS

- (1) Name of first defendant: JEN Digby
 Employed as Unit Manager at SCI-Camp Hill
 Mailing address: 2500 LISBURN ROAD, Camp Hill, Pa. 17001
- (2) Name of second defendant: LAUREL HORRIGAN
 Employed as SUPERINTENDENT at SCI-Camp Hill
 Mailing address: 2500 LISBURN ROAD, Camp Hill, Pa. 17001
- (3) Name of third defendant: KEITH COASERA
 Employed as Deputy Superintendent at SCI-Camp Hill
 Mailing address: 2500 LISBURN ROAD, Camp Hill, Pa. 17001
- (List any additional defendants, their employment, and addresses on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets if necessary.)

1. See Attachments

2.

3.

V. RELIEF

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1.

See Attachments

2.

3.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 3 day of May, 20 20.

Robert Jones, William Walker,
(Signature of Plaintiff)
Demetrius Bailey, Richard Dennis,
James Jones, Darryl Gardner,
Dwayne Gooden, Cameron Foxett

ROBERT JONES, WILLIAM WALKER, DEMETRIUS BAILEY,

RICHARD DENNIS, JAMES JONES,

DORR GORDNER, DUNYNE GARDEN,
CAMPBELL LOLETT, _____

V.

PLAINTIFFS

JEN DIGBY, LAUREL HARRY, KEITH CARBERRY, JODY FAGNANI,

TABB BICKELL, Tonya Heist, J. St. Pierre,

Handy Shell, _____, _____

DEFENDANTS

COMPLAINT

AND NOW, this ____ day of _____, 2020, comes Plaintiffs, Pro Se and respectfully states the following:

- 1.) PLAINTIFFS ARE ADULT INDIVIDUALS WHO RESIDES AT SCI-CAMP HILL, 2500 LISBURN ROAD, CAMP HILL, PA. 17001.
- 2.) DEFENDANTS ARE PRISON OFFICIALS IN SCI-CAMP HILL, 2500 LISBURN ROAD, CAMP HILL, PA. 17001, AND RESPONSIBLE FOR VIOLATING PA. CONST. ART 1 §7,8,9,11,13,20,26, AND U.S. CONST. 1ST, 8TH, 14TH AMENDMENT RIGHTS.
- 3.) DEFENDANTS ARE BEING SUED FOR CONCURRENT, WANTON, CRUEL INFLICTION OF PAIN AND MALICIOUSLY AND SADISTICALLY FOR THE VERY PURPOSE OF CAUSING HARM, AS OFFICIALS WHO'S SOLE RESPONSIBILITY FOR DENYING ACCESS TO COURTS OUT OF RETALIATION, EXTORTION, OFFICIAL OPPRESSION, WILLFUL MISCONDUCT, ETHIC INTIMIDATION, DENIAL OF CONTACT VISITS, DENIAL OF LIFERS ORGANIZATION UNDER FOURTHTEEN AMENDMENT EQUAL PROTECTION RIGHTS, DESTRUCTION OF PROPERTY, ETC... AND ARBITRARY ABUSING THEIR OWN POLICIES AND PROCEDURALS, REQUEST FOR INJUNCTION AND DECLARATORY RELIEF.

STATEMENT OF CLAIMS

- 1.) Defendant Laurel Harry is denying all LIFERS in SCI-CAMP HILL the right to form a LIFERS

ORGANIZATION due to racial discrimination, equal protection rights as similarly situated inmates in SCI-DALLAS and SCI-PHOENIX to tackle the mistreatment and abuse and inadequate mental health treatment in SCI-CAMP HILL.

2.) On November ,2019, and in December ,2019, plaintiff Dennis requested a transfer based on being a custody Level 2 (incentive base transfer), which was put together by counselor Arnold and approved by staff at SCI-CAMP HILL as I was told before Counselor Arnold left for medical leave.

3.) On December ,2019, Unit Manager Digby and Counselor Fagnani did a DC-46 VOTE SHEET for plaintiff Dennis's transfer and denied the transfer out of retaliation for my mother complaining about their unprofessional conduct to transfer her son close to home when plaintiff Dennis meet the criteria for incentive base transfers according to policy 11.

4.) On , I was denied my R-CODE outside clearance by Defendant Digby out of retaliation for complaining about the C/O in R&D PROPERTY ROOM using abusive language against me in which defendant Digby use the same language to kick me out of her office for exercising my constitutional right.

5.) On or around 2018, Defendant Tabb Bickell suspended plaintiff Bailey's "contact visits" out of retaliation for Bailey filing a lawsuit civil action No. 3:18-cv-1437 against staff at SCI-RETREAT and SCI-DALLAS, based on an inaccurate NARK 11 TEST and the Hearing Examiner not sending the false positive test to a outside Labortary, where on-line information states that NARK 11 TESTS show 87% false positive results.

6.) Defendants Bickell, Harry, Carberry, Digby, Fagnani denying me my Equal Protection Right as similarly situated prisoners receiving "contact visits" out of retaliation for winning a lawsuit against prison officials CIVIL ACTION 3:14-cv-1776, is causing plaintiff Bailey psychology harm where he has suicide tendencies disturbing my mental stability.

7.) Defendants intentionally are using their jobs as a weapon to illegally abuse their power by violating PA. CRIME CODES 18 Pa. C.S. §5301; 42 Pa. C.S. §8550; 18 Pa. C.S. § 2709, 2710, 2962, 4910-11 by denying plaintiff Dennis his transfer out of retaliation and denying plaintiff Bailey his contact visits for filing lawsuits against prison officials and plaintiffs their equal protection right to form a LIFERS ORGANIZATION.

8.) Defendants Bickell, Harry, Carberry, Digby, Fagnani, Heish St. Pierre violating the DOC Code of Ethics A (1); B (1)(2)(6)(7)(8)(9)(10)(14)(19)(22)(27)(29)(30)(31)(32) and their Code of Conduct.

9.) Defendants intentionally retaliating against Plaintiffs for exercising their constitutional right to complain about the Defendants wrong doing.

10.) ON 9-5-19, Plaintiff Walker filed grievance # 821926 about staff and Unit Manager allowed his property to become taken and stolen. All Appeals Denied.

11.) ON 2-12-20, Plaintiff Dennis filed grievance # 850687 about being Denied Incentive Base Transfer for Level 2 Prisoners but All Appeals Denied.

12.) Plaintiffs verbally made Complaints to Defendant Harry about the Liter's Organization in UM Digby's Life Support Group and Repeatedly being told she will not allow Plaintiffs to start a Liter's Organization that benefits the institutional's community and outside but Requests Denied.

13.) Defendants Harry, Digby, St. Pierre are in a conspiracy in committing Theft By Deception in violation of 18 Pa.C.S. § 3922 allowing prison guards to steal inmates property on N-Block and falsifying documents to cover-up these thefts.

14.) Defendant St. Pierre committing Official Oppression, Willful Misconducts Harassment, Ethnic Intimidation, Unlawful Restraint, Tampering with or Fabricating Physical Evidence, Tampering with Public Records or Information Out of Retaliation for Plaintiffs Exercising their Right to Complain and Equal Protection Clause to have Access to Phone Calls like their Black workers at 12:00pm and 8:00pm.

15.) Defendant Heist interfering with Complaints filed against prison staff out of Retaliation for Plaintiffs filing lawsuits is a violation of their First Amendment.

16.) ON 2-17-20, Plaintiff Bailey filed grievance # 853164 about not being allowed "contact visits" out of Retaliation for filing lawsuits in Federal Court Civil Action No. 3:14-CV-1176; 3:18-CV-1437. All Appeals Denied.

17.) Plaintiff Bailey Requested according to DC-ADM 812, to have his contact visits REINSTATED due to a inadequate and false positive NARK II Test and was told by Counselor Fagnani that she will do a Note Sheet DC-48.

18.) ON 3-10-20, Defendant Fagnani slander/defamation of my character and slander my family by stating: you settled your case and stop having family bring drugs in Camp #11 so you do not have my Note, I stated I just got here on 1-6-20.

19.) Defendant Fagnani made these slandering statements out of retaliation for Bailey settling lawsuit CIVIL action No. 3:14-CV-1776.

20.) ON 3-11-20, Bailey filed grievance # 855376 about Defamation and Slandering Bailey's character out of Retaliation. All Appeals DENIED.

21.) Plaintiff Bailey is being denied Mental Health Treatment by Psychologist Howdy Shell when he complained to her that his mental stability is being disturbed due to Defendants denying him contact visits with his family.

22.) Defendants Bickell, HARAV, Shell, Digby and DDC Lawyers committing False Pretenses that settling lawsuit that he would be transfer close to family to have contact visits was a fraudulent act.

23.) Defendant Shell stated: there is nothing Psychologist can do when Bailey is showing signs of suicide due to not seeing his family is violation of serious mental health treatment.

24.) ON 3-11-20, Bailey filed grievance # 855381 about being denied Mental Health Treatment due to contact visits being suspended. All Appeals DENIED.

- 25.) Defendants Digby, St. Pierre denying Bailey his Equal Protection Right to send his settlement money home to his Aunt Denise Bailey who is on his visiting list violates his Equal Protection as similarly situated PRISONERS IN SCF Camp Hill.
- 26.) Defendants Digby, St. Pierre, Harry is committing Fraud by trying to dictate/control Bailey's Settlement out of Retaliation for winning lawsuits and not following Settlement Agreement and denying him his Equal Protection Rights to challenge his criminal conviction & sentence where he has to pay for documents.
- 27.) ON 3-11-20, Bailey filed grievance # 855391 against Unit Manager Jen Digby denying him his Equal Protection Right to send money home to his family to challenge his criminal convictions. All Appeals Denied.
- 28.) Defendants Harry, Carberry, Digby Denying Plaintiffs Their Equal Protection Right To Form A LITERS ORGANIZATION LIKE PRISONERS IN SCF Dallas, SCF PHOENIX Violates Their First, Fourteen Amendments.
- 29.) Defendants Harry, Digby, Fagnani Denying Plaintiff Dennis, His Level 2 Incentive Base Transfer Out Of Retaliation For Complaining About Prison Staff Unprofessional Conduct And His Mom Complaining Violates His First Amendment, Also Denying His R-Code.
- 30.) Defendant Bickell Suspending Bailey's Contact Visits Out Of Retaliation For Filing Lawsuits Against Prison Officials Violates His First Amendment, Fourteen Amendment.
- 31.) Defendants Bickell, Harry, Shell, Digby, St. Pierre, Heist, Fagnani, Carberry Committing Violations Of PA Crime Codes Out Of Retaliation For Plaintiffs Complaining About LITERS ORGANIZATIONS Visits, Property Transfer And For Exercising Their Constitutional Rights Violates Their 1st, 8th, 14th Amendments.

32.) Defendants BICKELL, HARRY, CARBERRY, DIGBY, FAGNANI, HEIST, SHELL, ST. PIERRE Violating DOC Code of Conduct & ETHICS Violate Plaintiff's 1st, 8th, 14th Amendments.

33.) Defendants HARRY, CARBERRY, DIGBY, FAGNANI, HEIST, ST. PIERRE In A CONSPIRACY TO COVER-UP Complaints And Stealing PROPERTY Violates 1st, 8th, 14th Amendments.

Compensatory Damages \$100,000 From Each Defendant.

Punitive Damages \$250,000 From Each Defendant.

Declaratory And Injunctive Relief.

All Other Relief The Court See Fits.

DATE: MARCH 22, 2020

Respectfully Submitted

Dorothy Bailey CP7819

William Walker LJ9155

Robert Jones AF8050

Richard Dennis LZ5498

James Jones CK8648

Paul Gardner CE8291

Dwayne Gooden LM1358

Cameron, J. Jett. K95687

- 34.) Defendants BICKELL, HARRY, CARBERRY, HEIST, DIGBY, ST. PIERRE, SHELL HAS NOT BEEN FOLLOWING PLAINTIFFS EQUAL PROTECTION RIGHTS BY NOT PUTTING LADDERS INSIDE THE CELLS FOR TOP BUNK PRISONERS WHO ARE CLIMBING & JUMPING DOWN TWISTING THEIR KNEES AND ANKLES CAUSING SEVERE PAIN TO LIGAMENTS.
- 35.) ON OR AROUND 2-10-20, PLAINTIFF LOVETT WROTE GRIEVANCE # 849-986 ABOUT NOT HAVING LADDERS INSIDE THE CELLS LIKE OTHER JAILS TO CLIMB & JUMP FROM THE TOP BUNKS BUT ALL APPEALS DENIED.
- 36.) ON 2-24-20, PLAINTIFF GARDNER VERBALLY COMPLAINED TO UNIT MANAGER DIGBY ABOUT NOT HAVING LADDERS IN THE CELLS AND INTERFERING WITH HIM BY NOT ALLOWING OTHER STAFF MEMBERS HIRE HIM FOR A JOB AS SHE IS DOING THIS OUT OF RETALIATION FOR COMPLAINING ABOUT HER UNPROFESSIONAL CONDUCT DUE TO SHE THINKS SHE ABOVE LAW AS THIS IS BEING ALSO DONE TO PLAINTIFFS DENNIS, BAILEY, ETC.
- 37.) ON 3-8-20, PRISON GUARDS WENT INTO PLAINTIFF GARDNER'S CELL AND CONDUCTED A CELL SEARCH AND WITHOUT PROVOKING THEM THESE GUARDS STOLE AND DESTROYED; (1) NEW DIGITAL ANTENNA # 10.58; (1) RUG # 2.47; (1) DOVE SOAP # 2.23; (1) MOUTHWASH # 2.00 AND ALL OF THIS HAPPEN ON 2-10 SHIFT AROUND 7:00 PM.
- 38.) ON 3-9-20, PLAINTIFF GARDNER FILED GRIEVANCE # 855409 ABOUT HIS STOLEN/DESTROYED PROPERTY AND ALL APPEALS DENIED.
- 39.) PLAINTIFFS STATE THAT THE CONTINUE "COLLUSION" GOING-ON IN SCI CAMP HILL COVERING-UP COMPLAINTS FILED AGAINST THEM OUT OF RETALIATION IS CAUSING PSYCHOLOGICAL AND PHYSICAL HARM AND EMOTIONAL DISTRESS.
- 40.) PLAINTIFFS STATE THAT ANY OF US WHO CHALLENGES DEFENDANT DIGBY'S AUTHORITY BY FILING GRIEVANCES AGAINST HER, SHE IN TURNS OUT OF RETALIATION INFORMS OTHER STAFF MEMBERS DO NOT HIRE US FOR JOBS.

DZIMIRIUS Bailey ET AL

SCI- Camp Hill
2500 LISBURN Road
Camp Hill, Pa. 17001

RECEIVED
HARRISBURG, PA

MAY 09 2020

PER mw DEPUTY CLERK

SW

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Legal